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Docket No. 1614.1093

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Noriyuki ITO et al.

Application No.: 09/708,572

FEB 24 2004

Group Art Unit: 2825

Confirmation No.: 2299

Filed: November 9, 2000

Examiner: Vuthe Siek

For: DESIGN DATA PROCESSING METHOD AND RECORDING MEDIUM

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTION

This is in response to the Office Action that was mailed on November 28, 2003, which has a period for response that is set to expire on February 28, 2004. Because February 28, 2004 is a Saturday, this Response is timely filed by Monday, March 2, 2004.

The following remarks are respectfully submitted. Reconsideration of the claims is respectfully requested.

REMARKS

In the Office Action that was mailed on November 28, 2003, claims 1, 5, and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishiyama et al. (U.S. Patent No. 5,519,630) ("Nishiyama"). The foregoing rejections are respectfully traversed.

Claims 1, 5, and 9 are pending in the subject application, all of which are independent claims.

In the examiner's Remarks on pages 3-4 of the Office Action, he stated that Nishiyama discusses retrieving all lower-rank elements from each of the specified elements, citing column 8, lines 35-40 of Nishiyama. Upon reviewing the cited section of Nishiyama, the Applicants

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